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January 24, 2024

**By ECF**

Honorable John G. Koelz  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: Camacho v. City of New York, et al.,  
23 Civ. 10216 (JGK)

Your Honor:

ADJOURNED TO TUESDAY,  
FEBRUARY 13, 2024, AT 3:00PM.  
DIAL-IN: (888) 363-4749  
ACCESS CODE: 8140049

SO ORDERED.

1/25/24 John Koelz ✓ S O J

I represent defendant the City of New York in the above-referenced matter. Defendant City writes to respectfully request that the Court adjourn the conference currently scheduled for January 30, 2024, at 2:30 p.m., to a later date convenient for the Court. This is the City's first such request.

By way of background, on January 17, 2024, the City filed a request for an extension of time to respond to the Complaint in accordance with Local Rule 83.10 (ECF No. 8). Plaintiffs opposed the City's request, and also moved to exempt this case from Local Rule 83.10 (ECF No. 9). The City opposed plaintiffs' request on January 18, 2024 (ECF No. 10). On January 18, 2024, the Court scheduled a telephone conference for January 30, 2024, at 2:30 p.m. (ECF No. 11).

Unfortunately, the undersigned is unable to attend the conference on January 30, 2024, as I will be on trial before the Honorable Ann M. Donnelly beginning January 29, 2024. See Borisova v. Friberg, et al., 18-CV-7440 (AMD) (SJB). Accordingly, the City respectfully requests that the Court adjourn the conference to a later date convenient for the Court. The City sincerely apologizes for any inconvenience this may cause the Court. For the Court's convenience, the parties are available February 13 and 15, 2024.

When the City requested plaintiffs' consent to this request, plaintiffs asked that the following be included in this letter: "The conference was scheduled to address the delay in the City's answer. This request simply defeats that purpose. The Court should direct the City to file an answer. If the Court is inclined to grant the adjournment request, I am available on 13 and 15 of the proposed dates by City counsel."

The City objects to plaintiffs' characterization of the purpose of the upcoming conference, and notes that, to date, plaintiffs have continued to defy this Court's Local Rules by failing to provide § 160.50 releases or pertinent medical releases. The City further notes that, had plaintiffs complied with this Court's rules and served 160.50 releases and pertinent medical releases with the Complaint, the City's deadline to respond to the Complaint would be near, a schedule would be in place for the completion of substantial discovery, and the parties would have completed mediation and potentially settled this case more than a month before the Initial Conference currently scheduled for April 3, 2024.

Thank you for your time and consideration.

Respectfully submitted,

*/s/ Zachary Kalmbach  
Zachary Kalmbach  
Assistant Corporation Counsel*

cc: **Via ECF**  
All counsel of record